

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6609

BILL NUMBER: SB 244

DATE PREPARED: Dec 5, 2001

BILL AMENDED:

SUBJECT: IURC Communications with Parties.

FISCAL ANALYST: John Parkey

PHONE NUMBER: 232-9854

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill prohibits a commissioner, an administrative law judge, or an employee of the Utility Regulatory Commission (IURC) who is assigned to a formally docketed proceeding from communicating with a party to the proceeding unless the party files a notice of the communication for inclusion in the public record.

Effective Date: July 1, 2002.

Explanation of State Expenditures: This bill could cause a negligible increase in the administrative burden of IURC staff. Any impact would be absorbed using existing staff and resources.

Explanation of State Revenues: This bill would allow IURC administrative law judges, commissioners, or employees assigned to a formally docketed proceeding before the IURC to communicate with a party involved in the proceeding, if the party agrees to submit a written notice of the communication with the administrative law judge or commissioner assigned to the party's proceeding and the secretary of the commissioner for inclusion in the public record.

A party that fails to report communication with affected IURC staff members commits a Class C infraction. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500 which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local

governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Indiana Utility Regulatory Commission; Office of the Utility Consumer Counselor.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: